



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,849	03/17/2004	Koichi Doi	1081.1193	3100
21171	7590	12/28/2007		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER PRAKASAM, RAMYA G	
			ART UNIT 3651	PAPER NUMBER
			MAIL DATE 12/28/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/801,849

Applicant(s)

DOI ET AL.

Examiner

Ramya G. Prakasam

Art Unit

3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed on 10/9/2007 has been entered.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior office action.

Claim Rejections - 35 USC § 102

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Lantry (U.S. Patent No. 7,010,387)

Lantry discloses a data transfer method effected in a library apparatus having a logically plurally divided housing unit that is logically divided into a plurality of housing portions (See Figure 1), a turnout housing unit (20) for housing temporarily a storage medium (data storage element), and a robot (Column 7, lines 46-48) to convey the storage medium from the housing unit to the turnout housing unit or from the turnout housing unit to the housing unit, with a plurality of host computers being connected to the library apparatus, the plurality of host computers each having access to at least one portion of the housing unit, the data transfer method enabling the storage medium housed in a first housing portion of the logically plurally divided housing unit to be used by the host computer making access to a second housing portion different from the first housing portion, the method comprising the steps of:

- Controlling the robot to convey the storage medium from the first housing portion to the turnout housing unit based on a medium conveyance instruction from a first host computer making access to the first housing portion (66 and 68 – See Figure 2);

- notifying a second host computer having access to the second housing portion different from the first housing portion that a new storage medium has been inserted into the turnout housing unit when conveying the storage medium to the turnout housing unit is completed (70 – See Figure 2); and
- Controlling the robot to convey the storage medium that has been conveyed to the turnout housing unit, to the second housing portion based on a medium conveyance instruction from the second host computer (72 – See Figure 2).
- Wherein the turnout housing unit is a volume access station acting as an inlet for the storage medium inserted into the housing unit and acting as an outlet for the storage medium ejected from the housing unit (See Figures 1 and 2).
- Wherein the turnout housing unit is a common housing portion included in common in the first housing portion and the second housing portion (See Figure 1).
- Wherein the housing unit is physically divided so as to correspond to the logical dividing (See Figure 1), and
- Wherein the turnout housing unit is a medium delivering mechanism for mediating the delivering of the storage medium between the first housing portion and the second housing portion which are divided physically (See Figures 1-4B).

Lantry further discloses a library apparatus comprising:

- A logically plurally divided housing unit (See Figure 1);
- A turnout housing unit (20);
- A robot (See Column 7, lines 46-48);

- A robot controlling unit (See Column 7, lines 46-48);
- A completion notifying unit (See 70 – Figure 2).
- Wherein the robot controlling unit and the completion notifying unit are included in a controlling unit (20);
- Wherein the turnout housing unit is a volume access station acting as an inlet for the storage medium inserted into the housing unit and acting as an outlet for the storage medium ejected from the housing unit (See Figures 1 and 2).
- Wherein the turnout housing unit is a common housing unit included in common in the first housing portion and the second housing portion (See Figure 1);
- Wherein the housing unit is physically divided so as to correspond to the logical dividing (See Figure 1), and
- Wherein the turnout housing unit is a medium delivering mechanism (See Figures 1-4B).

Response to Arguments

4. Applicant's arguments filed 10/9/2007 have been fully considered but they are not persuasive.
5. With regards to applicants argument that Lantry fails to disclose “controlling the robot to convey the storage medium from the first housing portion to the turnout housing unit based on a first medium conveyance instruction from a first host computer having access to the first housing potion when operation mode is transfer mode, this argument is not persuasive. Column 9, lines 15-34 outline that the robot conveys the storage medium

from a first housing portion to a turnout housing unit (for storage) on the instruction of the host computer. This limitation is clearly disclosed.

6. With regards to applicant's argument that Lantry does not disclose a second computer different from the first computer who issued the first medium conveyance instruction, this is not the case. Column 12, lines 1-13 provide for a second host computer that receives notification based on the second housing portions (created by a second partition). This limitation is disclosed.

7. For the foregoing reasons, the claims stand rejected.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramya G. Prakasam whose telephone number is (571)

10/801,849

Art Unit: 3651

272-6011. The examiner can normally be reached on Monday - Thursday, 8:30am-7pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/23/2007

RGP

A handwritten signature in cursive script, appearing to read "G. J. F.", is written over a faint, circular official stamp. The stamp contains some text that is mostly illegible due to the signature and fading, but it appears to be an official seal or stamp of the examiner or supervisor.